

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC

SEP 06 2011

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

DOCKET NO.: 3:10cr112-MOC

UNITES STATES OF AMERICA,

Plaintiff,

v.

ROBERT OTTO,

Defendant.

CONSENT ORDER AND
JUDGMENT OF FORFEITURE

BASED UPON the Defendant's plea of guilty, and finding that there is a substantial nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 982 and/or 28 U.S.C. § 2461(c):

All currency and monetary instruments constituting or derived from proceeds traceable to the conspiracy alleged in the Bill of Information, including the sum of \$2,600,327.00 in proceeds.

2. A forfeiture money judgment in the amount of \$2,600,327.00 shall be included in the sentence of the Defendant, and the United States Department of Justice may take steps to collect the judgment from any property of the Defendant, in accordance with the substitute asset provisions of 21 U.S.C. § 853(p);

3. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and requests for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45;

The parties stipulate and agree that the aforementioned judgment amount represents asset(s) derived from or traceable to proceeds of Defendant's crime(s) herein and is therefore subject to forfeiture pursuant to 18 U.S.C. § 982 and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against Defendant.

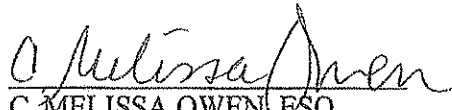
ANNE M. TOMPKINS
UNITED STATES ATTORNEY



BENJAMIN BAIN-CREED
Assistant United States Attorney



ROBERT OTTO
Defendant

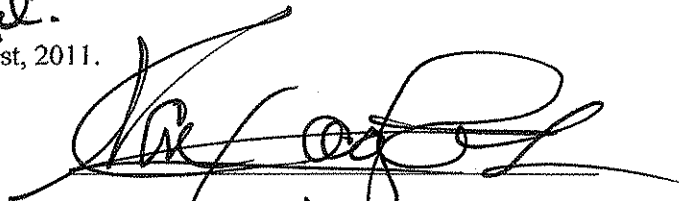


C. MELISSA OWEN, ESQ.
Attorney for the Defendant



WILLIAM ROBINSON HEROY, ESQ.
Attorney for the Defendant

Signed this the 11 th day of Sept.
6 day of August, 2011.



UNITED STATES District JUDGE